

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MARIAH MILLER, an individual on behalf)
of herself and others similarly situated,)
)
Plaintiffs,) No. 3:10-cv-1078
)
 Judge Sharp
v.) Magistrate Judge Bryant
)
JACKSON, TENNESSEE HOSPITAL) JURY DEMAND
COMPANY, LLC, d/b/a REGIONAL HOSPITAL)
OF JACKSON,)
)
Defendant.)

REVISED CASE MANAGEMENT ORDER

Pursuant to the Court's Order (Docket No. 96), the parties hereby submit this Proposed Revised Case Management Order. Except as set forth below, all other provisions of the Initial Case Management Order (Docket No. 39) remain in effect.

I. DISCOVERY: The parties shall complete all discovery on or before **May 31, 2012**. Discovery will be conducted in phases, with written discovery beginning prior to depositions being taken. The parties will discuss and attempt to agree on the order in which depositions will commence. At this time, the parties anticipate that Defendant will limit the number of depositions of those in the collective to 17 or less; Plaintiffs anticipate limiting the depositions of management to three or less, including a 30(b)(6) deposition of Defendant. No motions concerning discovery are to be filed until after the parties have conferred in good faith and, unable to resolve their differences, have scheduled and participated in a conference telephone call with Magistrate Judge Bryant. Similarly, should issues as to the order, timing

and/or number of depositions arise that cannot be resolved in good faith between counsel, counsel will jointly contact the Magistrate Judge to have these resolved. A written motion on such issues will not be necessary. Discovery is not stayed during dispositive motions, unless ordered by the Court. Local Rule 9(a)(2) is expanded to allow 40 interrogatories, including subparts.

J. DISCLOSURE OF EXPERTS: Plaintiffs shall identify and disclose all expert witnesses and expert reports on or before **April 2, 2012**. Defendant shall identify and disclose all expert witnesses and reports on or before **April 20, 2012**.

K. JOINT MEDIATION REPORT: The parties shall submit a joint mediation report on or before **April 17, 2012**.

L. MOTION TO DECERTIFY: Defendant shall file any motion to decertify the class conditionally certified by the Court on or before **June 20, 2012**. Plaintiffs' response shall be filed within twenty (20) days after service. Defendant may file an optional reply within ten (10) days after service of the response.

M. DISPOSITIVE MOTIONS: The parties shall file all dispositive motions on or before **September 20, 2012**. Responses to dispositive motions shall be filed within twenty (20) days after service. Optional replies shall be filed within ten (10) days after service of the response. Briefs shall not exceed 20 pages.

O. ESTIMATED TRIAL TIME: The parties anticipate that the length of trial could vary widely, from two or three days to two or three weeks, depending upon numerous factors. These factors include whether a class is ultimately certified and, if so, the size of the class. Jury trial is rescheduled for **January 29, 2013, at 9:00 a.m.** The pretrial conference is reset for **January 7, 2013, at 4:00 p.m.**

IT IS SO ORDERED.

s/ John S. Bryant

JOHN S. BRYANT
U.S. Magistrate Judge

APPROVED FOR ENTRY:

GILBERT RUSSELL McWHERTER PLC

s/ Michael L. Russell

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